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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

FIRST GULF BANK,

Defendant.

Adv. Pro. No. 11-02541 (CGM)

**NOTICE OF TRUSTEE'S SUBMISSION OF MOTION TO COMPEL
TO DISCOVERY ARBITRATOR JUDGE MAAS**

Please take notice that Irving H. Picard (“Trustee”), Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff, has submitted a Motion to Compel Defendant First Gulf Bank to Respond to Discovery and Present a Rule 30(b)(6) Witness(s) to Explore the Possibility of Spoliation (“Motion to Compel”) to Discovery Arbitrator Judge Frank Maas, as agreed by the Parties in the Case Management Plan, ECF 104, which expressly incorporated the Order Appointing a Discovery Arbitrator Pursuant to Bankruptcy Rule 9019(c) and General Order M-390 (ECF No. 14227) entered in *Sec. Inv. Prot. Corp. v. Bernard L. Madoff Inv. Sec., LLC (In re Bernard L. Madoff Inv. Sec., LLC)*, Adv. Pro. No. 08-01789 (CGM) on October 4, 2016.

The Motion to Compel seeks an order compelling First Gulf Bank to (1) amend its disclosures to fully comply with the Federal Rules of Civil Procedure, (2) produce documents responsive to the Trustee’s First Set of Requests for Production, (3) amend its responses to the Trustee’s First Set of Requests for Admission, and (4) designate a Rule 30(b)(6) witness(es) to testify about document retention and searches and possible spoliation.

Dated: November 9, 2023

Of Counsel:

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